

EXHIBIT V

Sutliff, Graham

From: Sutliff, Graham
Sent: Tuesday, August 14, 2007 9:29 PM
To: 'robertmatz@paulhastings.com'
Cc: Reiley, Amy; Schuurman, Bill; Buss, Brian; 'drace@icklaw.com'; 'dougmcswane@potterminton.com'; Walker, Floyd; Preston, Hilary; 'jsanders@robritlaw.com'; Gray, Joseph; 'fedserv@icklaw.com'; 'vidbhakar@paulhastings.com'; 'michaelledelman@paulhastings.com'; 'sariellovich@paulhastings.com'; 'jamesfazio@paulhastings.com'; 'christinahenderson@paulhastings.com'; 'deborahmart@paulhastings.com'; 'daisypoon@Paulhastings.com'; 'gisusadaghiani@Paulhastings.com'; 'shaneewilliams@paulhastings.com'
Subject: Re: AdvanceMe v. AmeriMerchant

Case 6:06-cv-00082-LED-JDL Document 174 Filed 08/15/2007 Page 2 of 4

Robert-

This confirms the conversation that we just had (approximately 10 minutes ago). You informed me that Plaintiff no longer has any intentions of inspecting First Funds' document production this week despite your letter and your confirmation that you would be at First Funds offices (which is below).

As you know, First Funds arranged for Floyd Walker to fly from Austin to New York at the last minute today based on your representations in an effort to comply with your last minute request (he called me approximately 20 minutes ago to confirm that he landed in New York). Obviously, this cost First Funds a lot of money. Mr. Walker arranged to stay for three nights, which also cost a lot of money. And the attorney time spent in granting your last minute request cost a lot of money.

I question Plaintiff's motives with respect to the events that have transpired today. It is clear that Plaintiff has absolutely no intentions of reviewing any of the documents produced by First Funds.

I will be in touch tomorrow to further discuss this issue.

Graham

Graham E. Sutliff
512-542-8805

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Matz, Robert <robertmatz@Paulhastings.com>
To: Sutliff, Graham
Cc: Reiley, Amy; Schuurman, Bill; Buss, Brian; drace@icklaw.com <drace@icklaw.com>; dougmcswane@potterminton.com <dougmcswane@potterminton.com>; Walker, Floyd; Preston, Hilary; jsanders@robritlaw.com <jsanders@robritlaw.com>; Gray, Joseph; fedserv@icklaw.com <fedserv@icklaw.com>; Bhakar, Vid <vidbhakar@paulhastings.com>; Edelman, Michael N. <michaelledelman@Paulhastings.com>; Ellovich, Sari J. <sariellovich@paulhastings.com>; Fazio, James V. <jamesfazio@paulhastings.com>; Henderson, Christina <christinahenderson@paulhastings.com>; Mart, Deborah K. <deborahmart@paulhastings.com>; Poon, Daisy <daisypoon@Paulhastings.com>; Sadaghiani, Gisu S. <gisusadaghiani@Paulhastings.com>; Williams, Shane <shaneewilliams@Paulhastings.com>
Sent: Tue Aug 14 12:27:00 2007
Subject: RE: AdvanceMe v. AmeriMerchant

Graham:

I am flying out to New York.

Robert

From: Sutliff, Graham [mailto:gsutliff@velaw.com]
Sent: Tuesday, August 14, 2007 10:21 AM
To: Matz, Robert
Cc: Reiley, Amy; Schuurman, Bill; Buss, Brian; drace@icklaw.com;
dougmcswane@potterminton.com; Walker, Floyd; Preston, Hilary; jsanders@robritlaw.com;
Gray, Joseph; fedserv@icklaw.com; Bhakar, Vid; Edelman, Michael N.; Ellovich, Sari J.;
Fazio, James V.; Henderson, Christina; Mart, Deborah K.; Matz, Robert; Poon, Daisy;
Sadaghiani, Gisu S.; Williams, Shanee
Subject: RE: AdvanceMe v. AmeriMerchant

Robert
Case 6:06-cv-00082-LED-JDL Document 174 Filed 08/15/2007 Page 3 of 4

While less than 24 hours notice does not comply with my previous request of reasonable notice, First Funds is prepared to accommodate your request beginning at 11 a.m. EST tomorrow.

I understand that you had a recent conversation with Floyd Walker, and you told him that you may not be coming due to the Court's recent Order in the RapidPay matter.

Please let me know your intentions within the hour so we can prepare for your visit. If I do not hear from you by 2:30 p.m. CDT, I will assume that you no longer plan to travel to New York.

With respect to other issues addressed in your letter, I will respond via a separate letter. Thank you.

Graham

From: Fitch, Kimberly W. [mailto:kimberlyfitch@Paulhastings.com]
Sent: Tuesday, August 14, 2007 11:37 AM
To: Sutliff, Graham
Cc: Sutliff, Graham; Reiley, Amy; Schuurman, Bill; Buss, Brian; drace@icklaw.com;
dougmcswane@potterminton.com; Walker, Floyd; Preston, Hilary; jsanders@robritlaw.com;
Gray, Joseph; fedserv@icklaw.com; Bhakar, Vid; Edelman, Michael N.; Ellovich, Sari J.;
Fazio, James V.; Henderson, Christina; deborahmart@paulhastings.com; Matz, Robert; Poon, Daisy;
Sadaghiani, Gisu S.; Williams, Shanee
Subject: AdvanceMe v. AmeriMerchant
Importance: High

Attached please find correspondence from Robert C. Matz.

Regards,

Kimberly Fitch, Legal Secretary | Paul, Hastings, Janofsky & Walker LLP | Five Palo Alto Square, Sixth Floor, Palo Alto, CA 94306 | direct: 650 320 1867 | main: 650 320 1800 | direct fax: 650 320 1967 | kimberlyfitch@paulhastings.com | www.paulhastings.com
<<http://www.paulhastings.com/>>

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Case 6:06-cv-00082-LED-JDL Document 174 Filed 08/15/2007 Page 4 of 4

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